

TENTATIVE RULINGS for LAW and MOTION

January 6, 2020

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted on Yolo Court's Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Nine (530) 406-6819
Telephone number for the clerk in Department Ten (530) 406-6816

TENTATIVE RULING

Case: **Fong Properties, LLC v. Subway Real Estate, LLC**
Case No. CV UD 19-1581

Hearing Date: **January 6, 2020** **Department Nine** **9:00 a.m.**

Plaintiff Fong Properties, LLC's objection to defendant Subway Real Estate, LLC's opposition is **SUSTAINED**.

Plaintiff Fong Properties, LLC's request for an award of attorney's fees is **GRANTED** in the amount of **\$2,194.50**. The amount of an award of attorney's fees is at the discretion of the court. (Civ. Code, § 1717, Code Civ. Proc., § 1033.5, Yolo Superior Court local rule 11.7, *Serrano v. Priest* (1977) 20 Cal.3d 25, 49.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.

TENTATIVE RULING

Case: **Materova v. McGee**
Case No. CV CV 19-1158

Hearing Date: **January 6, 2020** **Department Ten** **9:00 a.m.**

Cross-defendant Veronika Materova's motion to compel the deposition of cross-complainant Calvin McGee is **DENIED AS MOOT**. On December 17, 2019, cross-complainant Calvin McGee dismissed his cross-complaint with prejudice. Cross-defendant's request for sanctions is **DENIED**. Code of Civil Procedure section 2025.450 subdivision (g)(1) mandates sanctions only *if* the underlying motion to compel under Code of Civil Procedure section 2025.450 subdivision (a) is granted. (Code of Civ. Proc., § 2025.450, subd. (g)(1).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Parnow v. Universal Protection Service LP**
Case No. CV CV 14-334

Hearing Date: **January 6, 2019** **Department Ten** **9:00 a.m.**

Petitioners Michael Parnow, Shawn Lisenby, Bob Andrade, Gabriel Bautista and Saiyaz Abdul's unopposed petition to confirm the arbitration award is **GRANTED**. (Code Civ. Proc., § 1285, et seq.)

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.4(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312 or further notice is required.